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Committee on the Elimination of Racial Discrimination

Consideration of reports submitted by States parties under article 9 of the Convention

Twenty-third and twenty-fourth periodic reports of States parties due in 2016

Cyprus*

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Annexes**

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Acronyms

ADB	Anti-Discrimination Body
CCR	Commissioner for Children's Rights
CES	Cyprus Educational System
CHI	Commissioner to the Presidency for Humanitarian Affairs and Overseas Cypriots
CMA	Cyprus Maronite Arabic
COI	Country of Origin Information
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
CPA	Cyprus Police Academy
CRTA	Cyprus Radio Television Authority
CSO	Cyprus Sports Organization
DDC	Director of the Detention Centre
ECHR	European Convention on Human Rights
EASO	European Asylum Support Office
EU	European Union
IAIACAP	Independent Authority for the Investigation of Allegations and Complaints Against the Police
ICC	International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights
JCP	Journalists' Code of Practice
MCG	Multidisciplinary Coordinating Group
MCW	Multicultural Centre for Women
MESAR	Movement for Equality, Support, Anti-Racism
MJPO	Ministry of Justice and Public Order
MLWSI	Ministry of Labour, Welfare and Social Insurance
MOEC	Ministry of Education and Culture
MOH	Ministry of Health
MOI	Ministry of Interior
NAP	National Action Plan
NAPAR	National Action Plan Against Racism
NAPATHB	National Action Plan Against Trafficking in Human Beings
NAPGE	National Action Plan on Gender Equality

NAPMCECPH	National Action Plan on Minimizing the Consequences of the Economic Crisis in Public Healthcare
NAPPH	National Action Plan for Public Health
NAPITCN	National Action Plan for the Integration of Third Country Nationals
NAPITCNLRC	National Action Plan for the Integration of Third-Country Nationals legally residing in Cyprus
NAPSPSI	National Action Plan on Social Protection and Social Inclusion
NHIS	National Health Insurance System
NMIS	National Health Insurance System
NGO(s)	Non-governmental organization(s)
NIPHR	National Institution for the Protection of Human Rights
NMMC	Nicosia Municipal Multipurpose Centre
NMWR	National Machinery for Women's Rights
PDVCAO	Police Domestic Violence and Child Abuse Office
PHRO	Police Human Rights Office
POCD	Police Office for Combating Discrimination
RAC	The Reception and Accommodation Centre for Applicants for International Protection
RACK	The Reception and Accommodation Centre for Applicants for International Protection in Kofinou
SCA	Subcommittee on Accreditation
SWS	Social Welfare Service
THB	Trafficking in Human Beings
UNHCR	United Nations High Commissioner for Refugees
YAT	Young Advisors Team
ZEP	Zones of Educational Priority

I. Introduction

1. The combined twenty-third to twenty-fourth periodic reports of Cyprus on the International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter, the "Present Report") were prepared in accordance with the "Guidelines for the CERD-specific Document to be submitted by States Parties under Article 9, paragraph 1 of the Convention" [CERD/C/2007/1] (hereinafter, the "Guidelines"). The Present Report addresses the issues and recommendations raised in the Concluding Observations of the Committee on the Elimination of All Forms of Racial Discrimination [CERD/C/CYP/CO/17-22] (hereinafter, "Concluding Observations") in the consideration of the combined seventeenth to twenty second periodic reports of Cyprus [CERD/C/CYP/17-22] (hereinafter the "Previous Report") and covers the developments on the elimination of all forms of racial discrimination during the period 2012-2015.

2. The Present Report has been prepared by the Law Commissioner of Cyprus, who, pursuant to a Decision of the Council of Ministers (Decision No. 38.958, dated 25/2/1993), is entrusted with ensuring compliance by Cyprus with its reporting obligations under international human rights instruments. It was compiled on the basis of information and data provided by the Ministries and Services having competence for the specific matters. Information was also obtained from the Ombudsman, the Anti-Discrimination Body (ADB), and the Independent Authority for the Investigation of Allegations and Complaints against the Police (IAIACAP).

3. Due to the continued illegal foreign occupation of 36.2% of the territory of the Republic of Cyprus, the Government is not in a position to exercise effective control over all of its territory and cannot ensure the application of the international human rights instruments or take measures in order to comply with recommendations of Treaty Bodies in areas not under its effective control. This is a fact reflected in the Report of the Office of the United Nations High Commissioner for Human Rights on the Question of Human Rights in Cyprus (A/HRC/22/18). As a consequence, the Government of the Republic of Cyprus is unable to ensure full realization of its policies and to apply its laws, policies and programmes concerning human rights and elimination of all forms of racial discrimination, to those living in the occupied areas. It is relevant to recall that, the accession of Cyprus to the European Union was subject to Protocol 10 of the 2003 Act of Accession, according to which "the application of the acquis shall be suspended in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control". Consequently, all information and data presented in the Present Report, concern the Government-controlled areas. Refer also to the Country Background of the 2009 Cyprus National Report (A/HRC/WG.6/6/CYP/1, paras. 5-17).

4. Since the Previous Report, despite the still challenging economic environment, the Cyprus economy is showing signs of stabilization. The Republic of Cyprus has implemented a series of reforms, which have transformed the economy into a more competitive and productive place. This is also projected by the upgrades of the Cyprus economy by the various Rating Agencies, but also from the significant decline of secondary market yields, allowing the Republic to return to the markets for financing. In the real economy, the signs of economic recovery are evident, as positive growth has been recorded in the first three quarters of 2015. For the whole year 2015, it is estimated that the economy will record a positive rate of growth of 1.5%. Labour market conditions show signs of stabilization, with the unemployment rate slightly decreasing to around 15.5% of the labour force in 2015 after a peak at 16.1% in 2014.In terms of public finances, fiscal targets have been achieved with considerable margins, mainly due to prudent budget execution and better that expected economic environment. In the financial sector, the banking institutions

have been adequately recapitalized and restructured, resulting to the gradual return of confidence in the sector, leading to the complete removal of the capital controls. It is noted that the Republic of Cyprus is expected to successfully complete the Macroeconomic Adjustment Programme by March 2016.

5. Despite the economic difficulties that Cyprus is currently facing, it is determined to continue its coordinated efforts to ensure full compliance with all international human rights treaties to which it is a party, and safeguard the human rights of all people in Cyprus. Respect of human rights is of paramount importance for Cyprus and the efforts of the authorities to that effect will continue unabated. Cyprus continues to grant voluntary contributions to various UN Funds and Agencies involved in human rights related activities, manifesting its adherence to and determination in combating racism and promoting human rights.

6. The Present Report follows the structure of the Guidelines. It begins by addressing paragraph 18 of the Guidelines and then continues with each Guideline article in turn, as provided in article 19 of the Guidelines. It focuses on the developments in legislation, administration, government policies and National Action Plans (NAPs), from November 2012 onwards. As requested, repetition of information is avoided through cross-reference to the information provided in the Previous Report, in the Concluding Observations and in the Follow-Up Report dated 14.7.2014 [CERD/C/CYP/CO/17-22/Add.1] (hereinafter, "Follow-Up Report").

II. Progress on the implementation of Durban declaration

[See also Previous Report, paragraph 6]

The National Action Plan Against Racism (NAPAR)

7. The NAPAR, which was drawn up following the Durban declaration, was concluded in 2003. Its evaluation showed that it indeed served its purpose: it provided an opportunity to both build upon and enhance existing policies and strategies to combat racism in Cyprus and to identify new priorities and areas of work that could be drawn together into the overall cohesive plan. Since 2004, when Cyprus acceded to the European Union, Cyprus follows the plans of action and anti-racism policies of the EU which are fully compatible with the purpose of the NAPAR, and constitute an ongoing process.

The Strategic Plan on Equality between Women and Men 2014-2017 (SPEWM)

8. The SPEWM was adopted by the Council of Ministers in December 2014. It was a collective achievement resulting from close collaboration with all government departments, the Commissioner for Gender Equality, women's organizations and other NGOs, academic institutions and human rights bodies, following a revision of the National Action Plan on Gender Equality 2007-13(NAPGE).

9. The SPEWM includes the following six (6) thematic areas/objectives:

- The institutional reform for the effective implementation of gender equality
- The law reform/improvement of legislative framework
- Balanced participation of women and men in public and political life
- Combating all forms of violence against women
- Economic empowerment of women and
- Elimination of gender stereotypes

10. This SPEWM introduces measures to address multiple discrimination faced by vulnerable groups, including:

(a) A Project on "Labour and Social Activation of persons belonging to Vulnerable Groups through the development of social skills and other activities";

(b) An Information Centre to Support Immigrants was set up at the Nicosia Municipal Multipurpose Centre (NMMC) in order to provide information and related services to immigrants, including social services, counselling, information about networking with immigrant organizations and other non-governmental organizations, etc.;

(c) Greek courses, Computer and English lessons are being offered to immigrant adults at the NMMC;

(d) Orientation workshops are being offered to non EU nationals providing general information about Cyprus (housing, transportation, communication, work, health services) at the NMMC;

(e) School programmes were designed to promote equality and mutual respect among all the children in the classroom, regardless of their origin or their gender.

11. This SPEWM has been distributed to all Ministries, Government Departments, Equality Bodies, Women's Organisations, NGOs, Local Authorities and the House of Representatives, in order for them to promote and enhance their respective actions and implement measures promoting gender equality within their respective competences.

National Machinery for Women's Rights (NMWR)

12. In the framework of the NMWR six (6) Committees have been established:

- Committee on Equal Participation between Women and Men in Public and Political Life
- Committee on Violence Against Women and Trafficking in Human Beings
- Committee on European Relations
- Committee on Employment and Economic Empowerment of Women
- Committee on Eliminating Gender Stereotypes and
- Committee on Bi-Communal Co-operation, aiming at implementing actions included in the SPEWM, as well as promoting further gender equality issues in Cyprus

13. A Committee on Bi-communal Co-operation has been established, aiming at bringing together women from all communities in Cyprus in an effort to promote gender equality, reconciliation, and peace, through the organization of bi-communal activities and projects.

Article 1 – Definition of racial discrimination

(a) Assessment of the compliance of the definition of racial discrimination in domestic law with the definition provided in article 1, paragraph 1 of the Convention

[See Previous Report, paragraphs 9 and 10]

(b) Information on whether the legal system of the State party allows or provides for special measures to secure the adequate advancement of groups and individuals protected under the Convention.

[See Previous Report paragraph 11 and Present Report article 5 analysis]

Article 2 – Legal background

(a) Brief description of the legal framework and general policies to eliminate racial discrimination

[See also Previous Report, paragraph 12 and Follow-Up Report, paragraph 18]

14. Cyprus incorporated in the national legal order, a number of international and EU binding instruments and has amended and introduced legislation in order to effectively eliminate racism:

(i) Law revising the legal framework for the prevention, combating trafficking and exploitation of persons and the protection of victims [L.60(I)/2014]

15. This Law replaces previous legislation on trafficking in human beings (THB). It harmonizes Cyprus Law with Council Directive 2004/81/EC and Directive 2011/36/EU of the European Parliament and of the Council and with the 2001/220/JHA: Council Framework Decision on the standing of victims in criminal proceedings. It makes provisions for the better implementation of the UN Convention (and Protocols thereto) against Transnational Organized Crime and especially the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Council of Europe Convention on Action against Trafficking in Human Beings. This Law enhances victim protection, in that, it provides, inter alia, for the protection of the victims, without any discrimination regarding sex, race, political beliefs, colour, religion, language, national or social origin and association with a national minority, property, birth or other status. It covers various forms of THB and has expanded the definition of victim to include persons that were trafficked and/or exploited, irrespectively of whether these persons sustained damage or not.

(ii) The Private Employment Agency Law [L.126(I)/2012, as amended]

16. This Law harmonizes Cyprus Law with Directive 2006/123/EU of the European Parliament and of the Council. It regulates the establishment and operation of private employment agencies aiming to combat labour exploitation mainly of migrant workers, as private employment agencies deal almost exclusively with the recruitment of non EU nationals for employment in Cyprus. It sets out the conditions and the qualifications that need to be fulfilled in relation to natural or legal persons operating such agencies and includes penalties for trafficking offences. The criminal record of the applicant is examined, in order to safeguard that the persons involved in the operation of such agencies, have not been convicted for offences, such as sexual exploitation, THB or any other serious criminal offence. The relevant authority may revoke the license of such establishment if the person responsible for the operation of the office or any of the Directors(in case of company) or any of the Partners (in case of partnership), has been convicted for an offense related to THB. This Law was amended in 2013 by Law L.150(I)/2013 in order to harmonize Cyprus Law with Directive 2008/104/EU of the European Parliament and of the Council, on temporary agency work, and to further strengthen the inspections procedures. Case No. 29524/10, *Limassol Chief of Police v. Kallisthenis Iona Nicolaou*) is an example

where, pursuant to the provisions of this Law and following a judgement of the Court whereby the person responsible for the operation of a private employment agency had been convicted for the offense of THB, the competent authority revoked the license of that private employment agency.

(iii) The Temporary Agency Work Law [L.174(I)/2012]

17. This Law harmonizes Cyprus Law with Directive 2008/104/EC of the European Parliament and of the Council on temporary agency work , and provides for the establishment and operation of temporary employment agencies and the protection of agency workers. The criminal record of the applicant is examined in order to safeguard that the persons involved in the operation of such agencies have not been convicted for offences of sexual exploitation, THB, any offence in violation of the provisions of the aliens and immigration laws and regulations, or any other serious criminal offence.

(iv) The Rights of Persons who are Arrested and Detained Law [L.163(I)/2005 as amended]

18. This Law was recently amended by Law 185(I)/2014 in order to harmonize Cyprus Law with Directive 2012/13/EU of the European Parliament and of the Council on the Right to Information in Criminal Proceedings. Additional rights were included in the amended Law, and existing ones were better clarified and enhanced, such as, the obligation to provide information on the right to free legal aid and the right to remain silent. [See also Present Report, article 5]

(v) The Criminal Code [CAP.154, as amended]

19. The Criminal Code was amended by L.87(I)/2015 in order to penalize public incitement of acts that may be discriminatory or of hatred or violence against persons because of their sexual orientation or their gender identity. In case of conviction, the penalty is imprisonment not exceeding three (3) years or a fine not exceeding five thousand euros (€5,000) or both such penalties.

(vi) The Legal Aid Law [L.165(I)/2002, as amended]

20. This Law was amended by L.105(I)/2014 in order to further harmonize Cyprus Law with Council Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status, Directive 2008/115/EC of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals and Directive 2011/93/EU of the European Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child pornography,(and replacing Council Framework Decision 2004/68/JHA). Free legal aid is provided to applicants for international protection, during first instance appeal proceedings before the Administrative Court under Article 146 of the Constitution in case of withdrawal or cessation of the refugee status or subsidiary status. The Law was amended again by L.20(I)/2015 in order to harmonize Cyprus Law with Directive 2013/33/EU of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast), concerning the legal aid. This Law provides for legal aid in court procedures where the applicant for international protection who is in custody/detention applies for a judicial review (a) against the administrative act which has as a legal effect his detention, (b) concerning the lawfulness of the duration of his detention (habeas corpus application). In such case, the applicant can appear before the competent Court for the purposes of exercising his right for the provision of free legal aid, accompanied by the police. Legal aid includes the preparation of the required procedural documents and appearing before the Court on behalf of the applicant.

(vii) *The Refugees Laws [2000-2014], were amended in 2013, by L.9(I)/2013 so as to harmonize Cyprus Law with Council Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status and, with Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted.*

21. The Law was again amended in 2014 by Laws L.58(I)/2014 and L.59(I)/2014 so as to harmonize Cyprus Law with Directive 2011/95/EU of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), and, to further harmonize Cyprus Law with Council Directives 2005/85/EC, 2003/86/EC and 2001/55/EC. [See also Present Report, paragraphs 74 and 75]

(viii) *The Education and Training of Children with Special Needs Law [L.113(I)/1999, as amended] and Regulations [R.185/2001, as amended]*

22. This Law and Regulations were amended by Laws L.87(I)/2014 and Regulations R.416/2013 respectively, in order to further strengthen the rights of children with disabilities. [See also Present Report, article 7]

(ix) *The Establishment and Operation of the Administrative Court Law, [L.131(I)/2015] harmonizes Cyprus Law with part of the Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection and Directive 2013/33/EU of the European Parliament and of the Council laying down standards for the reception of applicants for international protection. [See also Present Report, article 6]*

(b) Specific and detailed information on the legislative, judicial, administrative or other measures taken

[See also Previous Report, paragraphs 16-21]

23. The Cyprus Police continues to provide education and training on human rights issues, with special emphasis on combating racial discrimination and xenophobia.

24. Following the enactment of Law L.185(I)/2014 (amending Law L.163(I)/2005), on 28 and 29 May 2015, the Cyprus Police Academy (CPA), launched a training programme addressed to a specific group of Police officers who are responsible for the treatment of detainees. The programme included topics relating to human rights of detainees and the legal and moral obligations of the Police pursuant to the relevant legislation and Police Standing Orders. The programme included lectures by a representative of the Office of the Ombudsman on issues relating to human rights of detained persons.

25. A fourteen week training programme was introduced for police officers who are appointed at the Menoyia Detention Center. The training programme includes a section on Human Rights and takes place at least once every six months. The Ombudsman's Office systematically takes part in all educational activities for the Police Officers working in Menoyia, both at the initial training and at the follow up training at six-monthly intervals.

26. The Chief of the Police issued circular letters to all members of the Police, stressing that it is of paramount importance for police officers to safeguard and protect human rights, especially in the way they treat detainees. He emphasized the need to observe and apply the laws regarding human rights in order to avoid violations of human rights.

(c) Information on whether a national human rights institution, created in accordance with the Paris Principles or other appropriate bodies, have been mandated with combating racial discrimination

27. The International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) – Subcommittee on Accreditation (SCA), during its session of 16 to 20 November 2015, examined the application of the Office of the Commissioner for Administration and Human Rights for accreditation as NHRI. The SCA welcomed the establishment of the Office, it noted the extensive work it has undertaken and suggested that it should be accredited with B Status. The SCA made five specific recommendations, including, *inter alia*, the ensuring of adequate funding and financial autonomy and the possibility of the Commissioner to recruit his/her own staff. After a period of 28 days, during which the Commissioner may challenge these recommendations, the SCA's recommendation is expected to be sent to the ICC Bureau for approval and final decision. The Office of the Ombudsman is exercising its mandate as NHRI and will continue to do so, in addition to its other separate and distinct mandates as ADB, National Mechanism for the Prevention of Torture and Independent Authority for the Promotion of the Rights of Persons with disability. [See also, Previous Report, paragraphs 11, 12(h) and 23 and Follow Up Report, paragraph 23, first subparagraph]

(d) Information on groups and individuals benefiting from special and concrete measures taken in the social, economic, cultural and other fields

28. The National Action Plan on Minimizing the Consequences of the Economic Crisis in Public Healthcare (NAPMCECPH) September 2013-September 2015, had been specifically designed for vulnerable groups in order to enhance the existing public health programmes. The Ministry of Health (MOH), despite the pressure of budget cuts, is always trying to maintain the access to healthcare treatment for everybody living in Cyprus, especially for people belonging to vulnerable groups. For example, the Government provides free medical care to all children and pregnant women in Cyprus, as well as victims of trafficking and exploitation and asylum seekers.

29. Following the conclusion of the NAPMCECPH 2013-2015, the MOH developed a new NAP for Public Health (NAPPH) to cover the years 2016-2018, targeting specific vulnerable groups, with special emphasis on:

- Protection and promotion of the health of all children in Cyprus, irrespective of their nationality
- Review of the capacities to provide health care to immigrants and preparation of the relevant strategy

30. A new health insurance system (NHIS) which is currently being developed by the relevant authorities is intended to have its financing structure and coverage based on the principles of solidarity, justice and universality aiming to provide universal and equal coverage.

31. Since January 2015, domestic workers and persons whose residence rights had been previously limited due to provisions of the relevant legislation and administrative practices, are not excluded from eligibility for long-term resident permit To raise awareness on the issue, the Committee responsible for examining applications for the acquisition of long-term resident permits, issued a relevant announcement on 19.1.2015 featured on the Civil Registry and Migration Department website. Detailed clarifications on the matter can also be found on the Department's website, under the information for the section on long-term residence.

Article 3 – Prevention, prohibition and eradication of racial segregation

[See also Previous Report, paragraphs 33-36]

32. One of the main objectives of the government is to eliminate racial segregation by integrating the Roma people into the Cypriot society. The Social Welfare Services (SWS) who also provide counselling services, subsidise two social programmes which run specific actions for the Roma: One is in Limassol (the Bi-communal Centre) and the other is a co-operation between two authorities (Pano and Kato Polemidia). The main aim of the Centre is to alleviate conditions of social exclusion of the Agios Antonios territory. The Bi-communal Centre provides supportive and counselling services to the family-parents, children, young people and the elderly. It co-operates with nearby schools in order to address school attendance and any other related issues. The Centre promotes several programmes addressed to both Turkish-Cypriots and Greek-Cypriots living in the area. It also runs special workshops for children aged 13-18 years old in order to raise awareness on substance abuse, and programmes for 16-40 year olds in order to enhance job searching skills and other skills which facilitate their social and employment integration. The programme HERACLETOS promotes actions related to the social integration of Cyprus Roma living in the area of Polemidia. It promotes several actions towards the social integration of the Cyprus Roma residing in the territory, including the sensitisation of parents on the importance of school attendance, Greek lessons (in collaboration with the Adult Education Centres of the MOEC), social skills and personal hygiene.

33. Regarding the education of Roma children, the MOEC designed and implemented programmes for the education of Roma and other non-native language speaking pupils, such as provision of bilingual teachers and special support from the Educational Psychology Service and the SWS.

34. The Commissioner for Children's Rights (CCR), on 28 December 2013, issued a Report on the circumstances of education at the Ayios Antonios Primary School which was communicated to the Minister of Education and Culture and the Minister of Labour, Welfare and Social Insurance. The Report includes the findings of the CCR and makes specific recommendations in relation to: (1) compositions of the school population and the specific pedagogical needs and; (2) social integration and cooperation with the Roma community. The Minister of Education and Culture instantly reacted positively to the Report, convened a meeting with the CCR and visited the school committing himself to implement the CCR's recommendations.

35. During the school year 2013-2014, Agios Antonios Primary School in Limassol, where a great number of Roma pupils were enrolled, has, inter alia, provided for:

- A dance and theatre programme in order to improve pupils' behaviour and self-discipline
- The provision of books on the teaching of the Turkish language
- Extra support lessons to pupils in the afternoon

36. The school participated in the Comenius lifelong education programme, under the topic of "All different all the same Europe's children" and implemented projects on diversity through:

- Video recording of poems, songs and other cultural elements
- Organisation of food festivals from children's different countries and

- Celebration of the International Roma Day, during which, in the school year 2014-2015 the school organised the following:
    - Photo exhibition from international Roma activities
    - Music concert with traditional Roma music and
    - Open dinner to the community and the parents of the school

37. During the currents school year 2015-2016, the school is organizing various activities and actions in order to facilitate pupils' learning and maximize their potential in combination with in-service training.

38. At Agios Antonios Secondary School, the Turkish studies teacher and the Turkish Cypriot teacher engaged pupils in classroom discussions about the occasion of the International Roma Day. Turkish Cypriots/Roma pupils took part in several activities organised by the school thus having the chance to interact with their peers and promote their own cultural identity at the same time. Several events have also been organized to inform the teachers and staff of the school regarding the cultural traditions and customs of Roma pupils.

39. The MOEC organised two groups of Roma children to provide courses on their history and other elements of their cultural heritage, free of charge. The course titled "History-language-culture" was offered once a week (ninety minutes) and lasted twenty-four weeks. This course was offered for two consecutive school years (2013-2015) and it continues to be offered for the school year 2015-16, to thirteen pupils in two groups.

40. A special programme was implemented for the education and inclusion of unaccompanied minors/applicants of international protection, who are living in Cyprus under the care of the SWS. The programme aimed at providing basic knowledge of the Greek language to unaccompanied minors/applicants of international protection, as well as the development of useful skills, in order to facilitate interaction with their peers and their inclusion in the school unit. This programme was co-funded by the European Refugee Fund and the Republic of Cyprus.

41. In technical schools various measures were implemented, which included, inter alia:

- Establishment of a committee of direct intervention to investigate and manage incidents of racism at school
- School counsellors informed the staff about pupils who come from another country in order to raise awareness, develop and strengthen trust amongst pupils and their teachers
- Offer supportive teaching classes to improve the learning level of migrant pupils
- A pupil conference on combating racism

42. The Educational Psychology Service provided psychological assessments and counselling interviews to pupils, from 3 to 18 years old, presenting trends that could give rise to racial segregation. These assessments aimed at ensuring proper monitoring to prevent multiple discrimination based on low income, race, colour, descent, national origin, sexual orientation or special educational needs. Help was also provided to pupils' families and teachers through counselling.

Article 4 – Condemnation of all forms of racist propaganda

(a) Information on the legislative, judicial, administrative or other measures which give effect to the provisions of article 4 of the Convention

[See also Present Report, article 2 and Follow-Up Report paragraphs 8-15]

43. The Office of the Ombudsman has been collaborating closely with government authorities:

(a) In the framework of the campaign of the Council of Europe "No Hate Speech Movement", the ADB and the Youth Board of Cyprus drafted and published a Manual titled "Defining and Banishing Hatred" (March 2014). The main objective of the Manual was to help young people understand the terms that describe the different manifestations of racial hatred, in order to avoid and contend them;

(b) In a Report by the ADB (December 2014) regarding the way the Cyprus Sports Organization (CSO) reacted to racist insults against a football-player of colour, it was observed that although the relevant legislation prohibits racist slogans, in practice racist attacks in sports pitches were not effectively addressed by the competent Football Discipline Body. To deal with this problem, in early 2015 the ADB in cooperation with the CSO launched a National Campaign on Combating Racism in Football, including a TV spot and further actions;

(c) Following the ADB's Report (November 2011) on the handling of racists incidences by the Police, the latter, introduced (August 2013) a new Policy Paper regarding the handling of racist incidences endorsing the Ombudsman's Report recommendations;

(d) Regarding the National Action Plan for the Integration of Third Country Nationals (NAPITCN) 2014-2016, the Minister of Interior and the Ombudsman have agreed to cooperate closely in order to review and renew this NAPITCN for the years 2016-2018. [See also Follow-Up Report, paragraph 17]

(b) Information on whether racial motives are considered an aggravating circumstance under domestic penal legislation

[See also Present Report article 2.A., paragraph 16(v), Previous Report paragraph 42 and Follow up Report paragraphs 8-15]

44. According to section 8 of the *Combating Certain Forms and Expressions of Racism and Xenophobia by means of Criminal Law* [L.134(I)/2011, as amended], racist motivation constitutes an aggravating circumstance for any offence. This does not apply only for specific discrimination offenses.

45. The Attorney General, by a letter dated 13.5.2015 addressed to the Chief of Police, further emphasized that, by virtue of section 8 of Law L.134(I)/2011, a racist and xenophobic motivation is considered as an aggravating circumstance with regard to all crimes, including offences provided for in the Criminal Code. The Attorney General directed the Chief of Police that article 8 of the said Law should be included in the charge and the existence of the racial or xenophobic motivation must be mentioned in court for the purposes of being considered as an aggravating circumstance. In the same letter, the Attorney General, also stressed to the Chief of Police of the importance of the criminal law provisions related to racism and xenophobia, including the *Law ratifying the International Convention on the Elimination of All Forms of Racial Discrimination* [L.12/67 as amended]. Following the instructions of the Attorney General, on 22.5.15, the Chief of Police issued a circular letter on "Investigation of criminal cases as concerning racial crimes" addressing the importance of the anti-discrimination laws provisions and the aggravating circumstance of racist motivation as an additional charge on penal crimes. On

9.12.2015, the Chief of Police issued another circular letter emphasizing, once again, the above issues, as well as the principle of immediacy in effective investigation and judicial procedures for the racially motivated crimes. [See also Present Report , paragraphs 52-53]

(c) Statistical data on complaints filed, prosecutions launched and sentences passed for acts prohibited under article 4 of the Convention

46. Data on offences and incidents of racial nature or with a racial motive are collected by the Police Office for Combating Discrimination (POCD) since 2005. These data include information on the charges raised and Court proceedings. The criteria for defining offences/incidents with racial motive as well as the bases of racism are covered in the specific police training course titled "Racial and other discrimination" as well as in the new training programme on the revised Police Standing Order 3/38 (Ref N. CPC 09/13).

47. The Police data takes into consideration the racist motive, and/or the possible double or multiple bias motivation in various sub-categories. The recording system is being updated on a continuous basis and reviews are conducted periodically. An official review is conducted annually, at the end of each year, before official police statistics on the issue are released.

48. Relevant Police data are readily available to the public at the Cyprus Police website (Statistical Data, Criminality Statistic Data, Racial Incidents), through the link: http://www.police.gov.cy/police/police.nsf/All/C6B13F5246033542C2257E1B0038E6E7/$file/Ratsismos%20Agglika%202005-2014.pdf. Also see Annex A.

Article 5 – Enjoyment of rights without discrimination

(a) The right to equal treatment before tribunals and all other organs administering justice

49. In 2013 the Police jointly with the Office of the Ombudsman agreed on a Framework of Action of the Police on the handling and combating racist violence, xenophobia and discrimination, by issuing a Policy Paper for the prevention, handling and combating of discrimination and racist crime. The Paper restructures, elaborates and improves the previous framework. It emphasizes the development of proactive and deterrent action, victim encouragement, support and protection, and more effective investigation measures.

50. Following the Concluding Observations (para. 11), the Police revised the training curricula and Standing Orders on preventing discrimination, encouraging reporting of discriminatory actions and ensuring objectivity in investigation procedures in relation to any bias motivation. As part of the Police training curricula, the CPA in cooperation with the POCD, designed a comprehensive training programme to introduce the professional practices and obligations that have been developed on the new Police Policy Paper and on the revised Police Standing Order 3/38 (Ref N. CPC 09/13). The training programme includes the courses "Policy for the combating of racist violence, xenophobia and discrimination" and "Racial and other Discrimination – Legislation and Investigation", addressed to Police officers and sergeants particularly those working in the investigation and similar policing procedures (Police stations, Criminal Investigations Dept). An officer from the ADB regularly delivers lectures on racism and xenophobia.

51. Pursuant to Law L.163(I)/2005, as amended, the Police is under an obligation, when arresting or filing accusations against a person, to inform him/her about his/her essential procedural rights as well as his/her rights of access to a lawyer, right to remain silent, right of interpretation and translation etc., and to provide him/her with the informative document

"Rights of Arrested and/ or Detained Persons", written in a language he/she understands. [See also Present Report, article 2]

52. More specifically, every person arrested by the Police is informed right after his/her arrest in a language he/she understands, about:

- The reasons of his/her arrest or detention and about the offence that he/she is accused of having committed
- The right of access to a lawyer
- The right of free legal aid/assistance and the conditions required of such assistance
- The right of interpretation and translation
- The right to remain silent
- The rights of communicating with a lawyer and or any other persons in order to inform them about the arrest and/or detention

53. With the informative document "Rights of Arrested and/ or Detained Persons", the person arrested is further informed about:

- The right of access to the material of the case
- The right to inform the consular authorities or any other person
- The right of access to urgent medical care
- The maximum time of detention and
- The right to challenge the lawfulness of the arrest and detention

54. In case that the document is not available in the language the person understands, the person is informed about his/her rights orally, in a language he/she understands. The document is provided to the person subsequently with undue delay in a language he/she understands.

55. The arrested person may read the document and has the right to keep it in his/her possession throughout his/her detention. Cyprus Police has translated this document in 17 languages (Filipino, English, Arabic, Vietnamese, Bulgarian, French, Georgian, Greek, Farsi, Mandarin, Latvian, Bengali, Polish, Romanian, Russian, Turkish and Sinhalese).

56. By Orders of the Chief of the Police, in May 2015, high-ranking members of the Police in all Police Districts Departments/Units and Directorates were appointed as Senior Training Officers to train their personnel on the following:

- Human Rights and Treatment of Detainees
- Revised Police Order 5/3 (Rights and treatment of person into custody)
- Legal Obligations of International Law for the prohibition of torture and other forms of Cruel or inhuman treatment, humiliation or degradation
- Powers of Search – Bodily search techniques
- Respect and Protection of Human Rights

Length of detention

57. Detention cases concerning non EU nationals are reviewed by the Director of the Civil Registry and Migration Department, every two months, throughout the entire period of detention. Each case is re-evaluated by the Director at six months and, if it is established that repatriation has not been possible due to the detainee's lack of cooperation and that it is

possible to achieve repatriation in the near future, the detention is renewed for another six months. In a few exceptional cases, where more time is necessary, detention is renewed for another six months, thus reaching the maximum limit of 18 months, according to the relevant provisions of section 18 of the Aliens and Immigration Law, [CAP.105, as amended]. At any point throughout the detention period, if the authorities realize that repatriation is not feasible, the detainee is released.

Allegations by detainees for ill- treatment

58. Cyprus Police is sensitive on issues regarding ill-treatment and use of force by its members. If a person believes that he/she has been discriminated, ill-treated, or his/her human rights have been violated by the Authorities, he/she has the right to file a complaint. There are several mechanisms for the investigation of allegations for Police misconduct: the IAIACAP, the Attorney-General, the Ombudsman, the CCR, and the Police Professional Standards, Audit and Inspection Directory. The mission of these mechanisms, is the objective investigation of complaints, as well as the elimination of any inappropriate behaviour by the Police members. [See also Previous Report, paragraphs 60-67]

59. In this Framework, the Chief of Police issued circular letters, (dated 2.7.2014, 17.9.14 and 10.3.15) in order to inform Police members of the Attorney General's instructions, who, after having examined various criminal interrogations and administrative investigations concerning allegations of abuse and/ or exercise of violence by Police members, as reported by citizens, demanded that, when such allegations are reported, he must be informed promptly (within a maximum of 24 hours), so as to enable him to exercise his powers, which include the power to assign independent criminal investigators to examine the allegations. The IAIACAP which has competence to act ex-proprio motu, must also be informed, within 24 hours.

60. The Attorney General gave the following instructions regarding the procedures to be followed by the Police:

- The previous practice of the Police to perform administrative or criminal investigation in such cases is terminated.
- Whenever a person files a complaint of having been abused or subjected to violence by Police members, he/she must be examined by a forensic pathologist, who submits a relevant report on the condition of the said person. This report is forwarded to the Attorney General.
- When such complaint is filed by a foreign national, the Head of the Aliens and Immigration Service is also informed, so that no deportation proceedings will be executed.

Police Detention Centres

61. All Police Detention Centres are regularly inspected by National (Ombudsman, Parliamentary Committee for Human Rights), International and European Organizations and Committees (eg. UNHCR, Amnesty International), which are responsible for the monitoring of human rights. National NGOs (eg. Movement for Equality, Support, Anti-Racism (MESAR), Cyprus Red Cross).

Menoyia Detention Center

62. The Menoyia Detention Centre operates since January 2013 and accommodates up to 256 persons awaiting deportation. It is used only for the detention of immigrants who are in the process of deportation pursuant to an order of the competent authority, and is operating according to the *Law and Regulations for the establishment and regulation of*

premises of Prohibited Immigrants (L.83(I)/2011 and Regulations 161/2011) which are in compliance with the CPT standards on the conditions of detention and the treatment of immigration detainees.

63. All rights provided by the Law and Regulations are granted to all detainees at the Menoyia Detention Center, for example:

- Material conditions (adequate lighting, ventilation, air-conditioning, call-bell, access to water and food, provision of personal hygiene products, etc.)
- Communication and visits with relatives, friends, lawyers, Ombudsman, CCR, Cyprus Red Cross, UNHCR, NGOs, etc.
- Sending and receiving letters
- Telephone communication
- Nutrition
- Access to lawyer and doctor
- Interpretation and access to outdoor exercise, etc.

64. There are four wings (sixty-four places in each wing). In each wing there is a restaurant, a serving food area, separate recreation rooms for smokers and non- smokers with a library and TV, rest rooms, laundries and storage room. The detainees remain confined in their cells only during sleeping and resting hours for security reasons (13:30-15:00 and 23:00-07:30). Every cell is equipped with a call bell, which the detainees use when they need to use the bathroom, etc., a request that is always met by the police officers. During the rest of the day they have a daily programme, according to which they use the external recreation areas for about four hours per day, the TV rooms for about six hours per day, the restaurant for breakfast, lunch and dinner for about two hours. Additionally, there is an open exercise area with training court and kiosks that protect the detainees from weather conditions (sun, rain, etc.). The detainees may use their cell phones or their laptops. The Police is in the process of changing the daily programme of the detainees, adding leisure and outdoor activities as well as educational programmes, in cooperation with other Governmental Institutions.

65. In 2015, the Police in cooperation with Cyprus Red Cross implemented a Program, funded by the Norway/EEA Grants, in order to provide psychosocial support to the detainees of Menoyia Detention Center, as well as to the families of these persons. After the completion of the Program, the Cyprus Red Cross submitted a Report with proposals to the Police. The Police is currently in the process of studying and evaluating these proposals with the view of implementing them, in order to improve the living conditions of the detainees.

66. Cyprus Police requested the assistance of foreign Embassies in Cyprus and the Cyprus Red Cross, to provide all detention centers, including Menoyia Detention Center, with books in different languages. These books were provided to detainees in order to occupy themselves creatively.

67. The MOEC appointed a trainer, who visits Menoyia Detention Center three times a week for approximately 6 hours and is responsible for the training of the detainees.

68. In 2012 and 2013 the Ombudsman, in her capacity as National Preventive Mechanism under OPCAT, participated in the training of the personnel of the Menoyia Detention Centre aiming to prevent all forms of abuse and violation of the human rights of the detainees. Since then, the Ombudsman participates in every follow-up training of Police staff covering human rights issues.

Supervisory Committee of the Prohibited Immigrants Detention Centers

69. Section 5 of the *Law on the establishment and regulation of premises of Prohibited Immigrants*, [L.83(1)/2011] provides that a Committee for the supervision of the prohibited immigrants detention centre (Supervisory Committee) is set up by a Decision of the Council of Ministers (Decision No. 74.638, dated 5.2.2013). Pursuant to this Law, the Committee visits prohibited immigrants detention centres at least eight times/year and whenever it considers it necessary for monitoring purposes.

Complaints Committee of the Prohibited Immigrants Detention Centre in Menoyia

70. This Committee was established by Ministerial decision dated 5.5.2013 pursuant to Regulation 28 of the *Regulations for the establishment and regulation of premises of Prohibited Immigrants* No. 161/2011, which provide that the Minister of Justice and Public Order appoints a Complaints Committee consisting of three members (representatives of the Ministry of Health (MOH), Ministry of Interior (MOI) and Ministry of Labour Welfare and Social Insurance (MLWSI). This Committee may, either ex propio motu or following a detainee's complaint (a) re-examine a decision of the Director of the Detention Centre (DDC) and (b) to examine detainees' complaints regarding the detention and treatment conditions. Any detainee may (a) appeal against a decision of the DDC or (b) submit a complaint for any matter relating to detention or treatment conditions in fifteen days from the day the decision of the DDC was taken, or as of the act, omission or treatment based on which the complaint was submitted. The Committee, before reaching a decision, hears both sides (either in a hearing or in writing) in 15 days from the appeal or the submission of the complaint, and has the right to suspend the DDC's decision until the completion of the re-examination procedure. There is a complaints box in each wing of the detention centre to which the detainees have free access. The DDC is under an obligation to immediately transmit to the Complaints Committee any oral complaint of any detainee either through a telephone call or fax.

(b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual, group or institution

[See also Present Report, section 5.A. Statistical data are provided in Annexes A and B]

[See also Previous Report, paragraphs 61 and 72]

71. In May 2014, an educational four-day workshop-seminar, co-funded by the European Refugee Fund Annual Programme 2012, took place in Nicosia in order to raise awareness and inform the staff personnel involved in the documentation and investigation of complaints of torture and ill-treatment is well informed and aware about the detection of signs of torture and ill-treatment.

72. The action "Training of public officers (medical workers, psychologists, etc.) for detection of special needs in victims of torture in need of international protection", aimed at the benefit of training public officers such as medical workers, psychologists etc. at the use of the "Istanbul Protocol", for the detection and documentation of incidents of victims of tortures in need of international protection. Members of the Medical Council, officers of the Asylum Service and the Refugee Reviewing Authority and staff of the reception center in Kofinou attended the training. Provision for further training on this topic has been included in the programming of the Asylum-Migration-Integration Fund 2014-2020.

73. In the framework of the European Asylum Support Office (EASO) – Special Support Plan to Cyprus, following CPT comments and recommendations, and pursuant to the provisions of Istanbul Protocol for the effective examination and documentation of torture and other forms of cruel, inhuman or degrading treatment or punishment, a number

of training sessions have been scheduled to raise awareness of health care professionals who are involved in the process of examining potential victims of torture. Corresponding guidance material is currently being prepared to this end. Health care professionals should act on the basis of the necessary expertise for the purpose of objective documentation of their findings. The documentation of physical and psychological findings should be based on knowledge acquired through an essential and on-going training.

74. The Ombudsman submitted a report (March 2015) calling for consultation with the relevant authorities, regarding the process of assessing allegations of torture during the asylum procedure. The Ombudsman emphasized the need to adopt clear rules and processes on the basis of the Istanbul Protocol which would give the necessary guarantees for an efficient and objective assessment and sufficiently take into account the psychological and sociocultural parameters of every case. Following this Report, two meetings with the relevant authorities took place (April, and September 2015). The Ombudsman underlined that psychological evaluation should be an integral part of the process, training of the involved medical staff should be ongoing and appropriately interpretation services should be allocated. The MOH took action and is in the process of implementing a new process of evaluation.

(c) Political rights, in particular the right to participate in elections, to vote and to stand for election on the basis of universal and equal suffrage

75. Neither the Civil Registry Law [L.141(I)/2002, as amended] nor the policy implemented regarding the process of naturalization, allow for any discrimination on the basis of ethnicity or origin. Each application is examined on its own merits and approved if the relevant criteria are fulfilled.

76. Pursuant to an amendment law, [L.35(I)/2014] to *The election of Members of the* European *Parliament Law*, [L.10(I)/2004, as amended], section 9 of the Law provides that all Cypriot citizens residing in the Government-controlled areas of Cyprus have the same electoral rights. The law provided for the automatic inclusion in the electoral lists of all citizens, holding a Republic of Cyprus identity card with a declared address, in accordance with the information provided in the Civil Registry System, residing in the areas of Cyprus which are not under the effective control of the Government. On the basis of this law provision, 58,637 Turkish Cypriots have been automatically transferred to the electoral list for EU elections, out of approximately 95,000 that have acquired an identity card of the Republic of Cyprus issued by the Civil Registry System.

(d) Other civil rights

77. Pursuant to section 110(2) of the *Civil Registry Law* [L.141(I)/2002, as amended] the Minister of Interior may, provided some conditions are met, grant citizenship to spouses of Cypriot citizens who resided illegally in the areas under the effective control of the Government of the Republic of Cyprus.

Asylum Procedure

78. The Asylum Service, when examining applications for international protection, takes into consideration the most recent, valid and reliable Country of Origin Information (COI), mainly from the Common EU Portal (administered by EASO) and UNHCR.

79. According to Eurostat, Cyprus is in the third position among EU member States with regards to the provision of international protection (http://www.euronews.com/2015/04/20/data-raises-questions-over-eu-s-attitude-towards-asylum-seekers/#.VTZd-wnZz0s.email). During 2014, Cyprus received 1,305 applications for international protection by Syrians, from which, 995 received positive decisions (refugee status or subsidiary protection). Those

Syrians, who proved to have a personal fear of persecution, are entitled to refugee status (e.g. stateless Palestinians from Syria). In general, no return procedures are applied for Syrians.

80. Pursuant to sections 4(a) and 29(4) of the Refugee Laws 2000-2014, an applicant or a beneficiary of international protection is to be neither deported nor sent to a country where his/her life or freedom will be put at risk or where he/she will be subjected to torture or inhumane or degrading treatment or persecution for reasons of sex, race, religion, nationality, membership to a particular social group or political opinion. The Authorities fully respect both the principle of non-refoulement as well as the right to access to the asylum procedures in the Republic of Cyprus.

81. Regarding applicants' labour rights, an amendment to the Refugee Law in order to harmonize Cyprus law with EU Directive 2013/33/EU of the European Parliament and of the Council laying down standards for the reception of applicants for international protection, will facilitate applicants of international protection to have effective access to the labour market. The Amendment Bill is currently under consideration by the relevant ministries and will be forwarded to the Council of Ministers for consideration.

National Action Plan Against Trafficking in Human Beings 2013-2015(NAPATHB)

82. The NAPATHB sets out a comprehensive framework to combat potential THB in Cyprus. It was prepared by the Multidisciplinary Coordinating Group (MCG) and was approved by the Council of Ministers on 10 April 2013. The NAPATHB took into consideration the evaluation of the previous NAPATHB 2010-2012, the recommendations of the working groups appointed for this purpose, the provisions of Directive 2011/36/ of the European Parliament and of the Council on preventing and combating THB and protecting its victims, the European Strategy against Trafficking in Persons 2012-2016 and the recommendations of the Committee of Experts of the Council of Europe.

83. The NAPATHB focuses on Coordination, Prevention, Identification of Victims, Victims' Protection and Assistance, Suppression and Prosecution, Data Collection, Training, International Cooperation, Evaluation) and includes practical measures and actions which must be implemented within specified timeframes.

84. Some of the NAPATHB actions include:

- Training of public servants
- Frontline responders and judges
- Production of informative material
- Awareness raising campaigns
- Seminars in schools
- Training of personnel working in the media
- Translating the contracts of employment in the languages of the countries of origin of aliens with a high risk of exploitation and evaluation of its contents
- Cooperation with local authorities and other competent bodies for the identification of possible victims
- Increase of checks and investigations of private and other premises in which trafficking and exploitation of human beings might be taking place, etc.

85. Cyprus Police is involved in several actions of the NAPATHB. The actions are ongoing and the Police has an active role in the education and awareness-raising on issues of THB. Specific efforts are being made to organize joint training sessions of professionals

from different backgrounds with the aim of building and sustaining effective teams against THB. Multi task group trainings included government officers who act as first responders in THB cases. Such trainings were provided to Social Service Officers, Psychologists of Mental Health Services, the Police, Prosecutors, Civil Registry and Migration Department Officers, labour officers, labour inspection officers, medical staff and to members of the local authorities.

86. As the NAPATHB is soon to be concluded, a revised NAPATHB for 2016-2018 is currently being prepared. The recommendations of the Committee of experts of the Council of Europe against THB will be taken into consideration.

87. The Police Office of Combating Trafficking in Human Beings has been reinforced with specialized and expert investigators who handle and investigates all cases on trafficking in human beings.

88. Once a year, the MLWSI provides special training to the owners of Private Employment Agencies, on issues relating to THB and the provisions of the relevant Laws.

(e) Economic, social and cultural rights

The right to work

89. Domestic workers may change employers if they wish to do so. The only limitations applied are the following:

(a) No more than two changes of employers are allowed during the 6-year employment of domestic workers (except in case of death/repatriation/transfer of the employer in a nursing home, criminal offense by the employer against the non EU citizen or after a decision of the Labour Disputes Committee in favor of the non EU national);

(b) Change of employers is not allowed after 6 years of employment.

[See also Previous Report, paragraph 92]

90. The abolition of special visas for artists and the introduction of the new policy, has had positive results: in 2009, 1,136 such work permits had been issued, whereas in 2014 just 52 work permits were issued. In addition, the number of work permits that are issued to non EU nationals to work as bartenders is also declining, as in 2009, 235 such work permits had been issued, whereas in 2014 just 45 such work permits were issued. The decrease in numbers is due to the fact that the current policy introduced stricter criteria for the employment of non EU nationals in these sectors.

The Reception and Accommodation Centres for Applicants for International Protection (RAC)

91. The Reception and Accommodation Centre for Applicants for International Protection in Kofinou (RACK). [See also Previous Report, paragraphs 97 and 98]

92. In 2014, the capacity of the RACK was increased from 70 places to 400 places (with the addition of more housing units, including common rooms, kitchens and utilities rooms, that they were equipped with furniture, electrical appliances and fittings as well as a Medical Unit). At the RACK, there are also recreational activities' rooms where residents can have access to internet/cable TV and classrooms where Greek/English lessons run periodically, either by volunteer teachers or within the framework of the European Refugee Fund. During 2014, there was a general improvement / refurbishment of the infrastructure of the Centre and new equipment was installed, a new playroom was created, library, training room and a charity shop. Living conditions were improved, with the financial aid of the European Refugee Fund (Emergency Measures). During March and June 2015, the

Medical Unit operated at the Centre, staffed with a nurse, a health care visitor, and a psychologist. The Unit run as a pilot programme under the auspices of the MOH and within the framework of the ERF. There is a plan to continue the operation of the Unit within the new EU Funds. The applicants also have direct access to the Public Health Centre of Kofinou, as well as the Larnaca General Public Hospital. Monthly bus transportation cards are provided to the people accommodated at the RACK. Also, during the same period, there was a regular presence of translators at the centre, especially for the Arabic language (majority's language). Interpretation services are being offered regularly at the Centre.

93. Two additional RACs operated for a two-year period, from March 2011 until April 2013, in Private Hotels (serving as Collective Open Centers), in two cities (Onisillos RAC in Larnaca and Agapinor RAC in Pafos). The total capacity of the two Centres was 149 persons (children under two years old were not included in the total capacity of the Centers). This was an action launched within the framework of the European Refugee Fund, concerning the provision of accommodation and other related services to asylum seekers in accommodation units in main cities. The day-to-day operation of the Centers was undertaken by a subcontractor from the private sector, following a tender public procurement procedure. The services offered at the two Centres, also involved the provision of three meals daily, as well as supportive services (administrative and social services) on a daily basis. In 2011 and 2012, 247 and 232 people were accommodated in both the Centers, respectively.

94. As the main challenge faced in 2014 was the unexpected mass influx of persons who were in need of international protection, the Cypriot authorities prepared an emergency plan for accommodation and is implemented under the overall supervision of the Asylum Service, involving various governmental and non-governmental services. To this end, a new emergency open Reception Center for temporary accommodation, was also created in 2014, just outside Nicosia, with the financial aid of the European Refugee Fund (Emergency Measures). In September 2014, this center was used for the first time to accommodate 337 persons who had been rescued at sea coming from Syria (Syrian nationals and Palestinians). The center operated until the beginning of February 2015.

95. In July 2014, the children's shelter "Home for Hope" started its operation. The shelter is located in the center of Nicosia, in an area of 5,000 square meters, featuring a kitchen, a dining room, a living room with television, a library, computers, a basketball court, an intercom system, Wi-Fi, etc. It has the capacity to host 24 unaccompanied minors seeking asylum, providing daily care services, psychosocial and legal support by qualified personnel. The aim of these services is the integration and rehabilitation of the children. The shelter is staffed with highly skilled professionals, cooks and support staff. The operation of the shelter is co-funded by the European Refugee Fund. [See also Follow Up report, paragraph 18]

96. The IOM office in Cyprus operates since October 2014. There are ongoing discussions between the IOM Office and the MOI for the implementation of actions in the areas of migration and asylum.

The right to education

[See also, Present Report, article 7]

97. Within the context of the Zones of Educational Priority (ZEP) programme and UNESCO's strategy for positive discrimination to address consequential matters extra support services are provided to pupils, parents and teachers through the establishment of "Information and Social-emotional Support Centres". These Centres offer services and programmes designed by specialists with an ultimate aim to prevent delinquency, use of substances, expression of dangerous behavior and violence. The operation of this institution

has had positive results, such as the reduction of pupil dropouts, school failure (referrals and repetitions) and of referrals to the Educational Psychology Service, as well as improvement of school success. In 2013 the percentage of early leavers, (that is, people between 18-24 years old who completed secondary education but have no further education or training), was reduced to 9%, well below the headline target that was set to 10%. Moreover, in 2010-2011 there was no school dropout in primary education, whereas in secondary education in 2010-2011, this percentage was just 1,1%. For the school year 2015-2016 a new programme was introduced, titled "School and Social Inclusion Actions", aiming to continue, grow and improve the institution of the ZEP. The programme covers the period 2015-2020, is co-financed by the European Social Fund, and aims to support the population living below the poverty line or at risk of poverty and social exclusion. It also aims at ensuring social welfare and supporting financially the weaker groups of the population that are particularly affected by the economic crisis, reducing early school leaving, improving the learning outcomes and reducing school failure and delinquency.

98. The Cyprus Educational System (CES) provides for provides teaching of the Armenian and the Cypriot Maronite Arabic (CMA) languages in schools attended by members of the relevant religious groups- national minorities. English is taught as a foreign language in primary schools, whereas pupils take English and French up to the first grade of upper secondary cycle. In the last two grades of the lyceum pupils can choose any two languages they wish among English, French, Italian, Spanish, Russian, Turkish, German and they can also choose another two languages as elective subjects.

99. The state pays for the undergraduate fees of refugees who study at public universities in Cyprus. Public universities offer supernumerary seats (10%), over and above the seats available through the Pancyprian Examinations, to lyceum graduates who are citizens of the EU and non EU countries.

The right to equal participation in cultural activities

100. The Commissioner to the Presidency for Humanitarian Affairs and Overseas Cypriots (CHI) was appointed in 2013 as an Independent State Official with a mandate to promote the cooperation between the State and the three religious groups – national minorities of Cyprus, recognized as such by the Constitution. He has the responsibility to promote and protect the rights of the religious groups – national minorities (Armenians, Maronites and Latins) by the participation of Cyprus in international human rights instruments, ratified by Cyprus, including the Council of Europe Framework Convention for the protection of National Minorities and the European Charter for Regional or Minority Languages. He focuses on the development and adoption of a structured policy on issues and concerns raised by religious groups – national minorities and holds meetings with their Representatives and presents their views to the Government.

101. There are various programmes of subsidy and collaboration between the Cultural Services of the MOEC and the three religious groups – national minorities of Cyprus. Within the context of these programmes, state financial aid is provided to their respective cultural centres and foundations. For example:

- Maronites: Sponsorship of Cultural activities of associations and individuals
- Armenians: Every year activities for the promotion of Armenian culture are sponsored through the cultural institutions of the community. Teaching programmes on the Armenian cultural heritage are funded with an annual amount of €15,000-€20,000
- Latins: Sponsorship of €8,000 for the production of a documentary for the latin culture in Cyprus. The Cultural Services contributed to the concession of a building for creating an exhibition venue of the Latin community in Nicosia

102. The implementation of a subsidy programme for the publication of translations of literary works written by Turkish-Cypriot authors into Greek and vice versa, further promotes intercultural dialogue and diversity.

Article 6 – Effective protection and remedies

(a) Information on the legislative, judicial, administrative or other measures which give effect to the provisions of article 6 of the Convention

[See also present Report, article 2 and article 5]

103. The *Establishment and Operation of the Administrative Court Law* [L.131(I)/2015] by which the Administrative Court is established, provides an extra protection to persons seeking international protection, in that, the Administrative Court has competence to hear judicial recourses at first instance, and, in particular, in taxation and international protection cases, to examine the substance of the case and to modify or substitute the administrative decision as it deems appropriate. The judges of the Court have been appointed and the Court is expected to begin its operation in January 2016.

104. Informative leaflets in seven languages (Greek, English, Russian, Arabic, Romanian, Sinhalese and Bengali) were published in an effort to inform non EU nationals working in Cyprus about their rights and obligations. The model contract of employment of non EU nationals which was available in Greek and English has been translated in 2014 into Arabic, Mandarin and Sinhalese. In this way foreign workers are informed about the terms and conditions of their employment in their own language. In 2013 informative leaflets on the provisions of the Private Employment Agencies Law and the obligations of the agencies were issued.

105. The complaints mechanism was successful in providing necessary advice so as to find mutually agreed solutions and maintain the employment relationship of migrant workers with their employer. Complaints regarding domestic workers have gradually decreased. In total, during 2014, 799 complaints were submitted by domestic workers compared to 815 during 2013 and 911 during 2012. In 2014, 201 complaints concerning domestic workers were resolved through signing a release agreement.

106. There has been a continuous effort to improve the performance of the inspectorate mechanism, through the training of inspectors and the preparation of manuals that apply to different kinds of inspections. A programme co-financed by the European Social Fund which started in July 2010 to be concluded by the end of 2015, aims to improve the enforcement of equality in employment Laws and specifically actions for reducing the gender pay gap. An inspection mechanism has been set up, so that inspections are carried out in order to safeguard the enforcement of Equality Laws (equal treatment for men and women, irrespective of colour and ethnic origin). The inspections fall under the umbrella of the inspection units for undeclared and illegal work.

(b) Information on whether, a body was established within the national legal order competent to receive and consider petitions from individuals and groups of individuals

107. By a declaration dated 30.12.93, the Republic of Cyprus recognized the competence of the Committee on the Elimination of Racial Discrimination established under article 14 (1) of the Convention to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Cyprus of any of the rights set forth in this Convention.

Article 7 – Education, culture and information

(a) Education and teaching

108. The MOEC issues circulars to schools, on a regular basis, addressing the issue of equal treatment irrespective of racial or ethnic origin, and has introduced programmes which concentrate on the promotion of understanding, tolerance and diversity. For example: "Development of attitudes and behaviour related to a democratic citizen" (2012-2013) and "Enhancement of active citizenship with emphasis on social solidarity" (2013-2014). In school curricula and textbooks, diversity is a recurrent theme in many subjects, such as History, Modern Greek language, Literature and Health Education.

109. A number of amendments to the Education and Training of Children with Special Needs Law [L.87(I)/2014] and the relevant Regulations R.416/2013 have been enacted in order to further strengthen the rights of children with disabilities. For example:

- Children with health issues which cause sustained absence from school can be classified as having *temporary* special needs and are therefore eligible for home tutoring or tutoring in hospital.
- The multidisciplinary teams which are set up by the District Educational Committees to assess a child's educational needs will include the appropriate specialists according to the specific needs of each child.
- Special education pupils who attend secondary education or special schools have the right to remain at school until the age of 21.
- Regulation 6: Parents have the right to obtain a copy of the contents of their child's file held by the District Educational Committee.
- Regulations 65, 67 and 68: When children with special educational needs are eligible for the special provision of a transcriber they are not required to specify the grammar of the wording to the examiner. The use of this or any other provisions will not be indicated on school certificates.

110. In addition, in March 2015, fifteen school counsellors escorted pupils with migrant background to attend a forum, organized by the Office of Ombudsman, the Youth Board of Cyprus, the Observatory on Violence in Schools and the Counselling and Educational Service, against racism and discrimination. The forum aimed at identifying and recording problematic areas of dealing with incidents of racism in school. This was carried out through pupils' activities designed to promote disclosure, and sharing of personal experiences as well as good practices among school counsellors.

111. The multidisciplinary team of experts of the Task Force on School Violence provides support and guidance to schools facing emergencies of violence and youth delinquency, including incidents of racism. The following table shows the requests from schools for the Task Force's intervention:

School year	*Primary Education*	*Secondary Education*
2012-2013	73	60
2013-2014	100	70
2014-2015	112	116
Subtotal	285	246
Total		**531**

112. The Task Force also supports the School Mediation Programme which promotes understanding, tolerance and friendship among pupils. The programme has been running since September 2012 in secondary schools, and since 2013 in primary schools. More than 30% of schools have opted for the programme in the last two years. Teachers and pupils become mediators by taking the training offered by the Task Force and they, in turn, spread the programme at their respective schools. The curriculum includes social, communication and mediation skill development, anger management, empathy, negotiation, tolerance and compromise. Moreover, in June 2015, officers of the Task Force participated in the training course "Participation experiences and empowerment for Roma youth" hosted by "Hope for Children" UNCRC Policy Centre.

113. The CES is currently under reform. The reform is effected, inter alia, through the introduction of the New Curricula and timetables. It focuses on satisfying the longstanding need for establishing a democratic and human-centred school environment where all children study together in order to get prepared for their common future.

114. The Health Education Curriculum consists of separate chapters on the various forms of racism. Health Education is taught as a separate subject in primary education (years 1-6) and as part of related subjects in secondary education (years 7-9). The Curriculum is used as a guide for school interventions, setting a framework for the promotion of collaborations between teachers, pupils and parents.

115. "Diversity and interculturalism" and "Human rights" were introduced in 2014 and constitute separate thematic areas in the Health Education Curriculum aiming to empower pupils to identify and confront both "hidden" and "obvious" racism. The curriculum's success indicators include indicators on:

- Intimidating behaviour: eg. to perceive intimidating behaviour, to recognize and resist, "to propose solutions for addressing the phenomenon of bullying in school".
- Violence: eg. to distinguish the negative consequence arising from any form of exclusion or discrimination, to distinguish forms of violence (physical, sexual, psychological, socioeconomic).
- Social identities-gender development: eg. to recognize factors that affect the development of social gender.
- Diversity: e.g. to identify and assess the existence of stereotypes in the immediate and wider surroundings, to engage in activities to promote diversity, to highlight the positive effects of diversity in the classroom, in the family and in their community.
- Human rights and action for peaceful coexistence: e.g. to suggest and to manifest behaviours that show respect for the rights of others at school, to describe the rights of the child, such as those contained in the UN Convention on the Rights of the Child, to propose and implement actions that contribute to defending the rights of the child in school and community, to recommend and to engage in acts or actions that promote healthy coexistence of people at school and in the community.

116. The teaching material "Discovering the elephant" which was introduced in schools in 2014, is based on the principles of critical multicultural education and provides teachers with the tools and skills to deal with bullying, racist rhetoric and racist incidents, regardless of intentions.

117. In order to provide teachers with the opportunity to further develop their learning and teaching approaches, the Pedagogical Institute regularly organises both compulsory and optional in-service training seminars and conferences for teachers, who teach pupils with disadvantaged background including migrants, refugees and asylum seekers, as well as pupils of minorities, further to optional seminars related to intercultural education.

118. During the school year 2014-2015, a series of optional afternoon workshops were organised by the Pedagogical Institute, focusing on supporting teachers of primary and secondary schools who are participating in the pilot implementation of the MOEC's anti-racist policy. The following optional afternoon workshops were offered to primary and secondary teachers: "Diversity and interculturalism in Health Education" and "Teaching controversial issues in Health Education". The school-based teacher training seminars and workshops titled "Diversity and interculturalism in school's everyday life" took place in nine schools throughout 2014-2015.

119. In 2014, the MOEC participated as a partner in the Pilot Project Scheme "Human rights and democracy in action" of the European Commission and the Council of Europe. The project titled "Teaching controversial issues – Developing effective training for teachers and school leaders", was coordinated by the United Kingdom, and attended by other participating countries (Ireland, Montenegro and Spain whereas Albania, Austria and Sweden were associated partners). The project assessed the instructional as well as the educational methodology through which controversial issues and topics are taught in classrooms, especially topics on/related to racial discrimination (e.g. Roma education, asylum seekers, migration etc.). The participating countries designed, developed and implemented a teacher training pilot programme. The programme's objective was to empower teachers in teaching controversial issues. It was designed based on effective principles, procedures and best practices and was implemented in each country during the course of two meetings. It was then evaluated and the results were presented at the closing conference. Due to great demand from the educational community, the seminars were offered five times during the compulsory seminars of the Pedagogical Institute.

120. In 2014 a compulsory seminar titled "Working with refugees and asylum seekers pupils" trauma' was organized by the Educational Psychology Service and the Pedagogical Institute and was addressed to all educational psychologists. This seminar was co-funded by the European Refugee Fund and the Republic of Cyprus. In 2015, all school counsellors attended the seminar titled "The contribution of the school counsellor to school integration and social inclusion of asylum seeker pupils and beneficiaries of international protection", which was also was co-funded by the European Refugee Fund and the Republic of Cyprus.

121. In cooperation with the religious groups-national minorities, the MOEC prepared brief chapters referring to the religion and cultural heritage of each of the religious groups-national minorities. These chapters were incorporated in the religious instruction textbooks used for the third grade of all public primary schools. The units are titled "Our neighbours the Armenians", "Our neighbours the Maronites" and "Our neighbours the Latins". These books were distributed to schools during the school year 2012-2013.

122. In April 2015, following orders of the Chief of Police, a Joint Committee was formed based a Cooperation Protocol between the Cyprus Police and the Non-governmental Organization MESAR. The purpose of this Protocol is to develop guidelines on strengthening the co-operation between the Cyprus Police and MESAR in the fields of migration, asylum, racism and THB. It shall also cover training of law enforcement personnel, exchange of information concerning violation of human rights or racist crimes and/or bias-motivated crimes.

123. The Cyprus Bar Association co-organizes with other authorities (i.e. professional associations or other bar associations from abroad) seminars and participates in conferences either in Cyprus or abroad on the subject of human rights. [See also Present Report, article 2.B]

(b) Culture

124. Since January 2015 the MOEC has a specially allocated budget to cover the needs of the religious groups-national minorities. The budget includes provisions to cover the cost of the research on CMA language, the teaching of CMA and Armenian, the annual "language immersion" summer camp in Kormakitis, as well as the tuition fees of pupils of the religious groups-national minorities in private schools. The research on CMA focuses on collecting data through interviews with native speakers, phonological transcription of the language, orthographic transcription and production of teaching material. The teaching material that has been produced will be used to teach CMA at Saint Maronas Primary School, at the Adult Education Centres and at the annual summer camp in Kormakitis.

125. Armenian language lessons were offered at two (2) levels at the University of Cyprus during the academic year 2014-2015. Since autumn 2014, lessons of CMA were offered at one Adult Education Centre (these can be offered at more centres, should any need arise). With regards to teacher training, in June 2015 an intensive teacher training course for CMA took place at the Pedagogical Institute.

126. The Programme of State Funding in Culture provides equal opportunities to the cultural institutions and associations representing the religious groups-national minorities to promote their cultural actions, programmes and activities, eg. folk dancing, traditional instrument playing and singing, theatre and presentation or translations of literary works written in their language, the maintenance of relevant webpages. The funding ran through for 2015 despite the financial difficulties the country is still facing. [See also Concluding Observations, paragraph 14]

127. The Ministry of Education and Culture (MOEC) following a recommendation by the ADB adopted a Code of Conduct against Racism and Guide for Managing and Reporting Racist Incidents (Code). The Code was presented to the public by the Minister of Education and Culture and the Head of the ADB at a press conference in June 2014. The development and implementation of the anti-racist policy responds to the European Commission against Racism and Intolerance Guideline No. 10 on Combating Racism and Racial Discrimination in and through School Education and is also in line with various international and European conventions that Cyprus has ratified, such as the Convention on the Rights of the Child, the Council of Europe Recommendation CM/Rec(2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity, the Convention on the Elimination of all Forms of Violence Against Women and the European Social Charter.

128. The Code emphasizes the need for a school anti-racism policy, with a broad conceptualization of racism. It also provides schools and teachers with a detailed plan on how to deal with and prevent racist incidents. It includes definitions of basic concepts (e.g. racism, racist incident, homophobia, transphobia, bullying, discrimination, stereotypes, diversity, etc.), outlines the responsibilities and commitments expected by each member of the school community and provides the steps to be followed by schools for dealing with racist incidents in a practical rubric. As the Code views diversity as a multiple phenomenon, involving various aspects of people's identities, it is expected to contribute to the decrease of bullying and discrimination based on any form of diversity in schools (religion, ethnicity, language, appearance, disability, gender, etc.).

129. The Code was implemented on a pilot basis in seven schools. The Code has been reviewed in September 2015 and, for the current school year 2015-2016, schools are encouraged to implement the Code with emphasis on raising pupils' awareness against racism and intolerance and promoting equality and respect in the context of the Council of Europe's campaign against hate speech. The pilot implementation, as well as the relevant teacher training seminars, were enhanced with support by the ADB and the Cyprus Office

of the UNHCR. A conference aiming to evaluate and reflect upon the pilot implementation of the anti-racist policy was held in May 2015. The evaluation of the pilot implementation has generally indicated positive results in terms of the level of awareness and sensitization on racism and discrimination matters by all members of the school community. The pilot schools have also reported that the pedagogical measures predicted by the Code and Guide for dealing with racist incident perpetrators have been successful, as most perpetrators have stopped exhibiting racist behaviours. Finally, the pilot implementation evaluation suggests that victims and spectators of racist incidents have felt empowered enough to report the incidents to teachers and their parents, as they are now able to identify the various forms of racism and are aware of the school policy.

130. During the school year 2012-2013 the Office of the Ombudsman organized, in cooperation with the UNHCR in Cyprus and the Representation of the European Commission, a school competition titled "Talk about Racism and Xenophobia: Silence is not a solution". The competition aimed to inform and sensitize young people on issues concerning migration and asylum, and, particularly on the prevention and handling of incidents of xenophobia and racism occurring within the school community.

131. The Educational Psychology Service also contributes in the implementation of the Code through interviews and assessments of pupils as well as counselling to teachers, wherever incidents of any type of racism or discrimination take place in a public school. Educational psychologists have a leading role concerning prevention and actions with regards to school bullying incidents by organising specific interventions.

132. The Observatory on Violence in Schools (the Observatory) records and evaluates data regarding the extent and the forms of violence in schools. It also collects quantitative and qualitative data concerning good practices for the prevention of violence in schools, national and international research on school environment, on school violence and juvenile delinquency. In order to reduce violence in schools the Observatory coordinated the establishment of a policy concerning the prevention and intervention procedures for school bullying. For this purpose, several guidelines and a manual for teachers of all grades have been published in February 2015, through a detailed circular. In-service training of teachers on this issue was organised by different services of the MOEC.

133. The Observatory, in collaboration with the CCR established the Network Against Violence in School in 2014. The establishment of the Network aimed to reinforce the effort of various social actors (governmental and NGO), in the fight against violence in schools and the promotion of children's rights. Within this framework, several actions have been implemented in order to raise awareness on the issue of violence at school and the elimination of racial discrimination in Cyprus society.

134. In December 2014, the Observatory organised a four-day staff training on "Preventing and combating sexual abuse and exploitation of minors". The trainers were the founders and partners of the "Stop the Silence Association" in the USA. A Coordination Committee for the Prevention and Combat of Sexual Abuse and Exploitation of Children, has been established by representatives of different departments of the MOEC in order to record a detailed policy to be followed by schools in cases of sexual abuse or exploitation of children.

135. In January 2014 and in April 2015, the Minister of Education and Culture had consultations with the CCR Young Advisors Team (YAT) (an established group of teenagers from all areas of Cyprus with diversified background including migrant children and children of minorities). During these meetings, the Minister had the opportunity to hear the views of the children themselves on the issues of sex education (including awareness raising on sexual exploitation and sexual abuse) and the phenomenon of bullying. The YAT gave their views as to the nature of the incidents encountered at schools and made proposals

as to the measures that need to be taken to combat bullying and sexual abuse of children and further as to how sex education should be addressed in the School curricula. The Minister took the YAT's views into consideration in formulating the MOEC's policy. In March 2015, the Observatory participated in organising a "Pupils' forum against racism and discrimination", in collaboration with the Office of the Ombudsman.

136. Regarding education, awareness raising and training of police officers and other government authorities, the ADB:

- Provides lectures to police officers, in collaboration with the Cyprus CPA, on the topic of "Issues of law enforcement in multicultural societies".
- In 2012 and 2013 the Ombudsman, as National Preventive Mechanism under OPCAT, participated in the training of the personnel of the newly founded Menoyia Detention Centre for Irregular Migrants aiming to prevent all forms of abuse and violation of the human rights of the detainees. Since then the Ombudsman participates also in the follow up training.
- In 2013 and 2014 Officers of the Ombudsman presented the topic of "Dealing with Discrimination" during the compulsory training offered by the Cyprus Academy for Public Administration to newly hired public officers. Also, in 2013, the ADB, in collaboration with the Academy, organized trainings of public officers for the promotion and implementation of the "Code of Conduct and Ethics of the Public Service", which includes issues of respect and protection of civil rights, human rights and diversity.
- In 2014, Officers of the Ombudsman collaborated with an NGO, active in the field of gender equality, to provide a lecture addressed to male public officers as regards the demand side of trafficking of women for the purpose of sexual exploitation.
- In 2014, the Office of the Ombudsman provided presentations to the personnel of the Prison Department, on the topics of "Human Rights and Correctional Institutions" and "Discrimination and Racist Incidents".
- In 2014, the Ombudsman, bearing in mind that a substantial number of migrants are regular bus users, prepared, in collaboration with the Transportation Organization of Nicosia District, a Manual for Bus Drivers, as regards their duty to provide services without discrimination. The document refers to the relevant legal anti-discrimination framework and includes guidelines as regards the responsibilities of the parties involved in matters of behavior towards, and treatment of, bus passengers of different ethnic origin.
- Within the framework of the funding is obtained by the European Union programme "Progress", the ADB is currently implementing a series of actions, (such as the "Zero Tolerance to Violence against Women and Girls in Cyprus") in collaboration with other organizations (Advisory Committee for the Prevention and Combating of Violence within the Family, the Cyprus Academy for Public Administration and the Mediterranean Institute of Gender Studies), aiming at combating/ eliminating the violence against women and girls. One of the two major aims of the campaign is to sensitize, inform and support professionals (mainly public officers) employed in different relevant services (i.e.: health professionals, educators, social workers, police officers, prosecutors, etc.), as well as NGOs, Women's organizations and journalists, by offering different types of training. In addition to the trainings, a targeted national media campaign on violence against women is being implemented, in order to raise awareness and sensitize the general public on the matter of VAW. The particular vulnerability of women with a migrant background is particularly stressed out in the campaign.

(c) Information

137. The Cyprus Radio Television Authority (CRTA) has competence, inter alia, to promote the elimination of all forms of racial discrimination. The CRTA can issue circulars, guidelines and recommendations for compliance, amongst others, with the provisions laid down in the *Radio and Television Organizations Laws* (1998 to 2015) and in the relevant Regulations. In particular, the CRTA issued Circular 14/2014, dated 25th September 2014, addressed to the Cyprus Broadcasting Corporation and all private television organizations drawing attention as to the manner of presenting reportages relating to the rescue operation of immigrants close to Paphos district, so as to avoid any racist or discriminatory references. The circular stressed the need to ensure that the reporting will not contribute to the creation of negative climate/ opinions towards immigrants. It was particularly emphasized that "the CRTA expects that TV organisations will cover the humanitarian incident of the rescue of immigrants with due respect and sensitivity and with respect to the human rights of the immigrants themselves and to the sensitivities of the public as well".

138. Further, the Cyprus Media Complaints Commission is responsible for monitoring the implementation of the Journalists' Code of Practice (JCP) by both printed and electronic media, including online media. The JCP contains provisions for non-discrimination or prejudice "on the basis of race, colour, language, religion, political or other conviction, national or social origin, property, extraction, gender, age, or other personal status" and prohibits "scorn, ridicule and abuse of individuals and groups". The Commission has powers to consider complaints about abusive or offending publications or transmissions violating the JCP.

139. The Commission has taken part in several anti-racism campaigns together with anti-racism and migrant and refugee support agencies, including the UNHCR.

Hate speech

[See also Follow-Up Report, paragraphs 8-15]

140. The Cyprus Media Complaints Commission in cooperation with the United Nations Refugee Agency prepared an Addendum, in February 2015, to the JCP, based on the Rome Declaration, explaining in detail the provisions contained in the relevant legislation and regulations on non-discrimination and gives guidance as to how journalists should handle reports on migrants, refugees and asylum seekers.

141. The JCP also contains instructions on how journalists must differentiate between asylum seekers, refugees, subsidiary protection beneficiaries, human trafficking victims, migrants and "undocumented migrants". (http://www.cmcc.org.cy/code_practice2.html)

142. In its Addendum, it states, inter alia, the following:

- Always take into account the element of diversity, be it cultural, racial, national, religious, social or visual in order to promote mutual understanding amongst different groups of the population.
- Do not declare national or racial origin in news reports when this is not a component of information. For example, if you would not mention that the party or parties involved in a story are Cypriots, opt not to mention it where they are migrants.
- Neither write nor report news about incidents involving migrants, refugees, asylum seekers or human trafficking victims, where such incidents would not be newsworthy if they involved Cypriots.
- Do not over-publicize news where either the victims or the perpetrators are migrants. Present these reports as you would if the persons involved were Cypriots.

- Especially in cases of crimes or offences, do not refer to the suspect's or suspects' national origin, if it is not a constitutive or necessary element of the story.
- Do not violate the legal presumption of innocence or give information concerning the private life or personal status of the persons involved or members of their family.
- Reference to the origin, religion and legal status of migrants must be avoided unless it contributes to the understanding of the events. (The title "Illegal migrant steals motorcycle" places major importance to the legal status of the individual as explanation for the theft, whereas the reason for the theft might have been irrelevant to the person's legal status).
- Do not use levelling expressions and terms and avoid using belittling expressions and characterizations.
- Do not refer to all foreigners as illegal immigrants or in a derogatory manner.
- When referring to migrants, specify whether they are economic migrants, refugees, asylum seekers, irregular migrants, trafficking victims or individuals under the protection of the state for any reason.
- The term suggested by international human rights organizations for migrants arriving or residing in a country without legal documents is "irregular migrants" or "undocumented migrants".

143. Regarding prosecution of acts involving hate speech:

(a) A case investigated by the CRTA, [case No. 14/2013(3) of 3.4.2013], concerned the broadcast by a private TV channel on 19.12.12, of a television series in which language that could be offensive to people of foreign origin. The CRTA imposed the sanction of warning for violation of Regulation 25(3)(a) of the Radio and Television Stations Regulations 2000 (10/2000), which refers to the use of language in such a way that it may offend the sensitivities of foreign people;

(b) In case No. 24/2013(3) of 24.4.2013, the CRTA examined the broadcast of a television series on 31.1.2013, by a private TV channel, in which language was used in such a way that could be offensive to people of foreign origin. The CRTA imposed the sanction of warning for this particular violation of the Regulation 25(3)(a) of the Radio and Television Stations Regulations 2000 (10/2000);

(c) In 2014, the CRTA examined the case 47/2014(2) and found, inter alia, a violation of regulation 26(ib) which prohibits the broadcasting of entertainment programmes that offend the dignity of the two sexes, racial, ethnic, religious groups or groups with special needs. The CRTA by its decision dated 4th March 2015 imposed, inter alia, the sanction of warning of the violation for the aforesaid regulation.